

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARIUS ROGERS,

Plaintiff,

-against-

THE CITY OF NEW ROCHELLE, et al.,

Defendants.

1:19-CV-0479 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated October 25, 2019, the Court granted Plaintiff leave to file an amended complaint within sixty days. That order specified that failure to comply would result in dismissal of this action for failure to state a claim on which relief may be granted. Plaintiff has not filed an amended complaint. Accordingly, the Court dismisses this action for failure to state a claim on which relief may be granted. 28 U.S.C. § 1915(e)(2)(B)(ii).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 22, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge